

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Permit 13243 (Application 19850)

William B. Ashton and Dorothy W. Ashton

ORDER APPROVING EXTENSION OF TIME AND
AMENDING THE PERMIT

SOURCE: (1) Sugar Loaf Creek and (2) Silver Fork American River

COUNTY: El Dorado

WHEREAS:

1. Permit 13243 was issued to Barbara G. Lahiff, Margaret Lahiff, Marie Lahiff-McKena, and Harry C. Lahiff on February 23, 1962, pursuant to Application 19850.

Permit 13243 was subsequently assigned to William B. Ashton and Dorothy W. Ashton on June 25, 1987.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use was filed with the State Water Resources Control Board (SWRCB) on July 9, 2001.
3. The permittee has proceeded with diligence and good cause has been shown for an extension of time. Public notice of the request for an extension of time was issued on September 21, 2001 and no protests were received.
4. The SWRCB has determined that the petition for an extension of time does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. The permit term relating to the continuing authority and water quality objectives of the SWRCB should be updated to conform to section 780 (a & b), Title 23 of the California Code of Regulations.
6. Fish, wildlife, and plant species have been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act. A term should be placed in the permit making the permittee aware of possible obligations resulting from these acts.

NOW, THEREFORE, IT IS ORDERED THAT PERMIT 13243 IS AMENDED TO READ AS FOLLOWS:

1. Condition 4 of the permit be amended to read:

Construction work and complete application of the water to the authorized use shall be prosecuted with reasonable diligence and completed by December 31, 2012.

(0000009)

2. The continuing authority condition, shall be updated to read as follows:

Pursuant to California Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the SWRCB also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution article X, section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

3. The water quality objectives condition, shall be updated to read as follows:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the SWRCB if, after notice to the permittee and an opportunity for hearing, the SWRCB finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the SWRCB finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

(0000013)

4. Permit 13243 is amended to include the following Endangered Species condition:

This permit does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this permit.

(0000014)

5. All other terms and conditions of Permit 13243 are still applicable.

Dated: DEC 14 2001

STATE WATER RESOURCES CONTROL BOARD

David R. Buringer
for Chief, Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 19850 PERMIT 13243 LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT

WHEREAS:

1. Permit 13243 was issued to Barbara G. Lahiff, Margaret Lahiff, Maria Lahiff McKenna and Harry C. Lahiff on February 23, 1962, pursuant to Application 19850.
2. Permit 13243 was subsequently assigned to Mr. William B. Ashton and Dorothy W. Ashton.
3. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board (Board).
4. The permittee has proceeded with diligence and good cause has been shown for said extension of time.
5. Permit Condition 6 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 3 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 31, 2000

(0000008)

2. Condition 4 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 2000

(0000009)

3. Condition 6 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

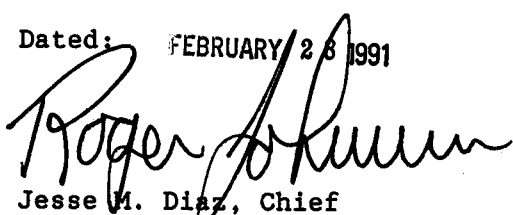
The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or

reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: FEBRUARY 28 1991


Jesse M. Diaz, Chief
Division of Water Quality
and Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 19850

PERMIT 13243

LICENSE _____

**ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT**

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 3 of the permit is amended to read as follows:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 1, 1990

2. Paragraph 4 of the permit is amended to read as follows:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 1, 1990

3. Paragraph 6 of this permit is deleted. A new Paragraph 6 is added as follows:


Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

4. Paragraph 8 is added to this permit as follows:

The State Water Resources Control Board, under its authority to conserve the public interest, retains continuing authority over this permit to require permittee to develop and implement a water conservation program, after notice and opportunity for hearing. The requirements for this term may be satisfied by permittee's compliance with any comprehensive water conservation program, approved by the State Water Resources Control Board, which may be imposed by a public agency.

Dated: AUGUST 27 1981


Raymond Walsh, Chief
Division of Water Rights

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

2125 19TH STREET

SACRAMENTO, CALIFORNIA 95818



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE,
ADDING A POINT OF DIVERSION, AND
ADDING A NEW TERM TO THE PERMIT

PERMIT 13243

APPLICATION 19850

WHEREAS:

1. A PETITION FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT AND APPLY THE WATER TO THE PROPOSED USE AND A PETITION TO ADD A POINT OF DIVERSION ON SILVER FORK AMERICAN RIVER HAVE BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.

2. IT APPEARS THAT THE PERMITTEE HAS PROCEEDED WITH DILIGENCE AND THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME AND FOR SAID ADDITION OF POINT OF DIVERSION.

3. THE BOARD HAS DETERMINED THAT THIS EXTENSION OF TIME AND ADDITION OF POINT OF DIVERSION WILL NOT OPERATE TO THE INJURY OF ANY OTHER LEGAL USER OF WATER.

4. THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS, TO SIGN THIS ORDER.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A NEW DEVELOPMENT SCHEDULE IS APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1980

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL
BE COMPLETED ON OR BEFORE DECEMBER 1, 1980

2. PERMISSION IS HEREBY GRANTED TO ADD A NEW POINT OF DIVERSION (NO.3)
WITH THE PRESENT POINTS OF DIVERSION (NO. 1 AND 2) DESCRIBED AS FOLLOWS:

POINT OF DIVERSION NO. 1 (SUGAR LOAF CREEK): N32°40'W 1300 FEET FROM
NE CORNER OF SW1/4 OF NW1/4 OF SECTION 28, T11N, R15E, MDB&M, BEING WITHIN
NW1/4 OF NW1/4 OF SAID SECTION 28.

POINT OF DIVERSION No. 2 (SILVER FORK AMERICAN RIVER): NORTH 550 FEET AND EAST 200 FEET FROM S1/4 CORNER OF SECTION 28, T11N, R15E, MDB&M, BEING WITHIN SW1/4 OF SE1/4 OF SAID SECTION 28.

POINT OF DIVERSION No. 3 (SILVER FORK AMERICAN RIVER): NORTH 1,830 FEET AND EAST 1,000 FEET FROM SOUTHWEST CORNER OF SECTION 28, T11N, R15E, MDB&M, BEING WITHIN NW1/4 OF SW1/4 OF SAID SECTION 28.

3. THE AMOUNT OF WATER COVERED BY THIS PERMIT MAY BE DIVERTED FROM EITHER OR ALL THREE POINTS OF DIVERSION. THE TOTAL ANNUAL DIVERSION AND USE SHALL NOT EXCEED 37 ACRE-FEET.

4. PARAGRAPH 6 OF THE PERMIT BE AMENDED TO READ AS FOLLOWS: PURSUANT TO WATER CODE SECTION 100, ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO, INCLUDING METHOD OF DIVERSION, METHOD OF USE, AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER.

THIS CONTINUING AUTHORITY OF THE BOARD MAY BE EXERCISED BY IMPOSING SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT WITH A VIEW TO MINIMIZING WASTE OF WATER AND TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE. PERMITTEE MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL TAILWATER OR TO REDUCE RETURN FLOW; (3) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (4) CONTROLLING PHREATOPHYTIC GROWTH; AND (5) INSTALLING, MAINTAINING, AND OPERATING EFFICIENT WATER MEASURING DEVICES TO ASSURE COMPLIANCE WITH THE QUANTITY LIMITATIONS OF THIS PERMIT AND TO DETERMINE ACCURATELY WATER USE AS AGAINST REASONABLE WATER REQUIREMENTS FOR THE AUTHORIZED PROJECT. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD DETERMINES, AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THAT SUCH SPECIFIC REQUIREMENTS ARE PHYSICALLY AND FINANCIALLY FEASIBLE AND ARE APPROPRIATE TO THE PARTICULAR SITUATION.

5. THE QUANTITY OF WATER DIVERTED UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE PERMITTEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADE- QUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

6. PERMITTEE IS HEREBY PUT ON NOTICE THAT SECTION 1603 AND SECTION 6100 OF THE CALIFORNIA FISH AND GAME CODE PROHIBITS DIVERSION OF NATURAL SURFACE FLOW FROM ANY RIVER, STREAM OR LAKE IN A MANNER DELETERIOUS TO FISH LIFE.

DATED: JUNE 15 1977


R. L. ROSENBERGER, CHIEF
DIVISION OF WATER RIGHTS

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 19850

PERMIT 13243

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 13243; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1968

DATED: NOV 1 1966

L. K. Hill
L. K. HILL
EXECUTIVE OFFICER

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

PERMIT 13243

APPLICATION 19850

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT
GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP
THE PROJECT PROPOSED UNDER PERMIT 13243; AND HAVING DIRECTED THAT THIS
ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE
AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON ~~OR~~ BEFORE DECEMBER 1, 1975

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL
BE COMPLETED ON OR BEFORE DECEMBER 1, 1975

DATED: FEB 5 1971

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

(ORDER WITHDRAWING FROM ENVIRONMENTAL CONTROL)

REMITTANCE

REMITTANCE

THE STATE WATER RESOURCES CONTROL BOARD HAS DETERMINED THAT
GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF THE PERMIT WHICH TO DEVELOP
THE PROJECT PROPOSED UNDER PERMIT NO. 12345; AND HAVING DETERMINED THAT THIS
ORDER BE ISSUED;

IT IS THEREFORE ORDERED THAT A NEW DEVELOPMENT PERMIT BE

AND THE CASE IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1978
APPLICATION OF THE WATER TO THE PROPOSED USE SHALL
BE COMPLETED ON OR BEFORE DECEMBER 1, 1978

DATED:

W. L. WARD, JR.
DIVISION OF WATER RESOURCES

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

APPLICATION 19850

PERMIT 13243

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 13243; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE SEPTEMBER 30, 1970

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE SEPTEMBER 30, 1970

DATED: JUN 20 1969

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

Int. of Margaret Labiff

3-26-84

RECEIVED OFFICE OF ASSIGNMENT

to Marie A. McKenna, Margaret Labiff
and Harry Labiff

3-27-84 ownership chd to Margaret Labiff + Marie A. McKenna

[For full information concerning the filling out of this form refer to
Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Notice of Assignment (Over)

Application No. 19850 Filed November 21, 1960, at 1:38 P. M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

AMENDED APPLICATION RECEIVED JANUARY 23, 1961.

I, Barbara G. Lahiff, Margaret Lahiff, Marie Lahiff McKenna, and Harry C. Lahiff
Name of applicant or applicants JOINT TENANTS
of 2727 Parker Street, Berkeley (Margaret Lahiff) County of Alameda
Address

State of California, do hereby make application for a permit to appropriate the
following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS*:

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is (1) Sugar Loaf Creek (2) Silver Fork
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in El Dorado County, tributary to South Fork American River

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use .094 cubic feet per
from either or both sources cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
second, to be diverted from January 1 to December 31 of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use _____ acre-feet
1 acre-foot equals 325,851 gallons
per annum, to be collected between _____ and _____ of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is Domestic
Domestic, irrigation, power, municipal, mining, industrial, recreational

4. The point of diversion is to be located (1) N32° 40' W 1300 feet from NE corner of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ purposes.
(2) north 550 feet and east 200 feet from S $\frac{1}{4}$ corner
State bearing and distance or coordinate distances from section or quarter section corner
of Section 28, T11N, R15E, MDB&M.
(3) Point of redirection S10° E 1350 feet from NW corner of Section 28
being within the (1) & (3) NW $\frac{1}{4}$ of NW $\frac{1}{4}$ & (2) SW $\frac{1}{4}$ of SE $\frac{1}{4}$
State 40-acre subdivision of public land survey or projection thereof
of Section 28, T. 11N, R. 15E, M. D. B. & M., in the County of El Dorado

5. The main conduit terminates in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 28, T. 11N, R. 15E, M. D. B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof
SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 29, T. 11N, R. 15E, M. D.
NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 29, T. 11N, R. 15E, M. D.

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from _____
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being (2) 6 feet in height (stream bed to
level of overflow); 15 feet long on top; and constructed of concrete
Regulatory Reservoir Concrete, earth, brush, etc.

(c) The storage dam will be 80 feet in height (stream bed to spillway level); 20 x 25 feet
long on top; have a freeboard of _____ feet, and be constructed of concrete
Concrete, earth, etc.

7. Storage Reservoir

Name

The storage reservoir will flood lands in _____

Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of _____ acres, and a capacity of _____ acre-feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) 7.5 feet; width at bottom 2 feet; depth of water 2 feet; length 2000 feet; grade more than 1,000 feet; materials of construction earth
(b) Pipe line: Diameter 2 inches; length piping system 134 feet per fall from intake to outlet 400 feet; kind steel and plastic
1,000 feet; total flex

Note.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map. A pumping plant is used to pump water from Lahiff Ditch to Regulatory Reservoir.
9. The estimated capacity of the diversion conduit or pumping plant proposed is sample State cubic feet per second or gallons per minute
The estimated cost of the diversion works proposed is conduct described herein
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

has been completed on major portion of system
10. Construction work with begin on or before September 1961
Additional work will be completed on or before October 1961
The water will be completely applied to the proposed use on or before October 1961

Description of Proposed Use

11. Place of Use. SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, T11N, R15E, MDB&M and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29, T11N, R15E, MDB&M.
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract. If space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? Partly Jointly? Yes Yes or No
All joint owners should include their names as applicants and sign application at bottom of third page.
Sales agreements dictate that the JOINT TENANTS supply water to all property purchased from Henry Lahiff or his assignees.
If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1. Appropriative & riparian	1910	Continuous	all year (See 2)	
2. Riparian & appropriative	1912	Continuous	all year (See 1)	
3.				
4.				

Attach supplement at top of page 3 if necessary.
13. Irrigation Use. The area to be irrigated is State net acreage to be irrigated acres.
The segregation of acreage as to crops is as follows: Rice acres; alfalfa acres; pasture acres; orchard acres; general crops acres; general acres.
NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.
The irrigation season will begin about Beginning date and end about Closing date
14. Power Use. The total fall to be utilized is feet.
The maximum amount of water to be used through the penstock is cubic feet per second.
The maximum theoretical horsepower capable of being generated by the works is horsepower.
The use to which the power is to be applied is For distribution and sale or private use, etc.
The nature of the works by means of which power is to be developed is Turbine, Pelton wheel, etc.
The size of the nozzle to be used is inches.
The water will be returned to of State 40-acre subdivision B. & M.

ATTACH THESE SHEETS HERE

15. Municipal Use. This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only
 having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. Mining Use. The name of the mining property to be served is _____
Name of claim
 and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water will be polluted by chemicals or otherwise _____
will not Explain nature of pollution, if any

and it will be returned to _____ in _____ of
will not Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

17. Other Uses. The nature of the use proposed is Domestic
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. 105 homes presently built with a possibility of
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type
45 more, with an average of about 4 persons per home and about 1000 square feet
Industrial use, and unit requirements
of lawn and garden.

10.00 x 18.5 = 185 gpd per house x 150 houses = 27,750 gpd

4 x 55 = 220 gpd per house x 150 houses = 33,000 gpd

405 gpd per house x 150 houses = 60,750 gpd

General

18. Are the maps as required by the Rules and Regulations filed with Application? yes If not,
Yes or No
 state specifically the time required for filing same _____

19. Does the applicant own the land at the proposed point of diversion? no If not, give name and
Yes or No
 address of owner and state what steps have been taken to secure right of access thereto _____

(1) El Dorado National Forest (2) Ralph Kyburz

20. What is the name of the post office most used by those living near the proposed point of diversion?
Kyburz, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion?

* /s/ Marie Lahiff McKenna
 Barbara G. Lahiff
 [SIGNATURE OF APPLICANT] Margaret Lahiff
 Harry C. Lahiff

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 13243

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed 0.094 cubic foot per second to be diverted from January 1 to December 31 of each year.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

~~3. The maximum amount herein stated may be reduced in the license if investigation so warrants.~~

3. Said construction work shall be completed on or before December 1, 1964.

4. Complete application of the water to the proposed use shall be made on or before December 1, 1965.

5. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

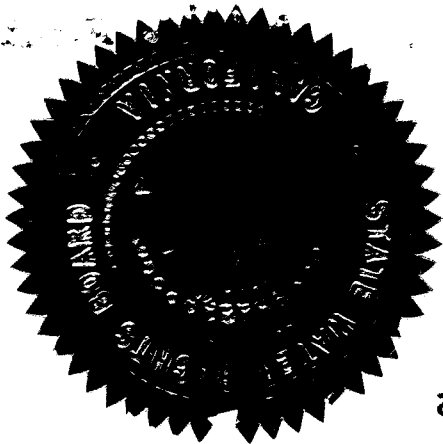
6. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

7. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.
Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.
Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: FEB 23 1962



STATE WATER RIGHTS BOARD

L. K. Hill
Executive Officer